

**THE UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

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YORKTOWN CENTRAL
SCHOOL DISTRICT,

Plaintiff,

Civil Action No.: 07 - 8648
(SCR)

-against-

ECF CASE

MONSANTO COMPANY,
PHARMACIA CORPORATION,
PECORA CORPORATION and
JOHN DOES 1-20,

Defendants.

**NOTICE OF MOTION TO
DISMISS THE COMPLAINT**

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PLEASE TAKE NOTICE that on a date and time to be determined by the Court, at the United States District Court for the Southern District of New York, United States Courthouse, 300 Quarropas Street, Room 265, White Plains, New York, Defendants Monsanto Company and Pharmacia Corporation, by and through their attorneys, White and Williams LLP, will move pursuant to Fed. R. Civ. Pro. 12(b)(6) for an Order dismissing the Verified Complaint.

The within motion will be based on this Notice of Motion, Certification of Exhibits, Memorandum of Law, and Affirmation of Service.

A proposed form of Order is attached.

Date: December 4, 2007

Respectfully submitted,

By: s/ Robert Wright

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Upon information and belief, as of the date of service, no other party has appeared in this case.